

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**QUENTIN DWAYNE MCNEBB,  
aka “QB”**

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**Case No. 4:12CR00001**

**STATEMENT OF FACTS**

**A. Factual Scenario**

**R. Hairston**, age 19, at the time of the offenses, is a known marijuana dealer in Henry County, Virginia. **R. Hairston’s** source of marijuana is a group of unidentified Mexican nationals. **R. Hairston** refers to his main source as “Buddy.” In January 2010, **R. Hairston** was in debt to “Buddy” in the amount of \$8,750 for previously-fronted marijuana.

In January 2010, **R. Hairston** devised a plan to rob one of his customers so that he could repay his debt to “Buddy.” **R. Hairston** contacted **K. Hairston**, age 24, a two-star general in the “9Tre” gang, a known part of the Bloods street gang, located in North Carolina and Virginia to discuss his plan to rob one of his regular customers, Demarcus Lavon Hairston, aka: “Von” (hereinafter “D. Hairston”).<sup>1</sup> **R. Hairston** explained that after he sold D. Hairston some marijuana, **K. Hairston** would rob D. Hairston of the

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<sup>1</sup> It should be noted that while “Hairston” is a very common name in Henry County, Virginia and the Eden, North Carolina area, there is no blood relationship between K. Hairston, R. Hairston, and D. Hairston.

marijuana he purchased from **R. Hairston**. **K. Hairston** and **R. Hairston** would subsequently split the marijuana stolen from D. Hairston.

On January 26, 2010, D. Hairston gave **R. Hairston** \$8,700 as a prepayment for some marijuana he expected to pick up later in the day from **R. Hairston**. After D. Hairston dropped off the money, **R. Hairston** called **K. Hairston** and told him to come to his house in Henry County, Virginia. **K. Hairston** then called **McNebb**, age 34, a captain in the gang, to ask for a ride to Virginia. **McNebb** informed **K. Hairston** that he did not have a car at the time but he would help find **K. Hairston** a ride. **McNebb** then asked **Armour**, age 18, a foot soldier in the gang, if he could drive **K. Hairston** to Virginia. **Armour** agreed to drive the group to Virginia. The original stated purpose of the trip, as far as **Armour** and **McNebb** were aware, was to obtain marijuana. **Armour** and **McNebb** were unaware that the purpose of this trip to Virginia was to commit a robbery. **Armour** and **McNebb** did not learn of the plan to rob, until after they were in Virginia. **Armour** and **McNebb** then drove from Greensboro, North Carolina, to Eden, North Carolina, where they picked up **K. Hairston** and **Thomas**, age 20, a captain in the gang. **K. Hairston** directed **Armour** to drive to the “Log Town” area in Henry County, Virginia where they observed D. Hairston driving a white Chevrolet Impala. At that time, **K. Hairston** announced to the others they were going to rob D. Hairston.

**K. Hairston** then directed **Armour** to drive to **R. Hairston’s** house in Virginia. When they arrived, all four gang members went into the house. **R. Hairston**, **K. Hairston**, and **Thomas** discussed the planned robbery of D. Hairston. In his grand jury testimony, **R. Hairston** stated that **R. Hairston** told **K. Hairston** that if **K. Hairston** was

going to rob D. Hairston, nine times out of ten **K. Hairston** would have to kill or shoot D. Hairston because D. Hairston would have a weapon. According to **R. Hairston's** testimony, **Thomas** then stated that no one was going to live anyway. **Thomas** told investigators at the time of his arrest and later testified before the grand jury that **R. Hairston** told **K. Hairston** that **K. Hairston** would have to kill D. Hairston because D. Hairston would know that **R. Hairston** had set D. Hairston up and **R. Hairston** did not want D. Hairston coming back against **R. Hairston**. **K. Hairston** has no recollection of any discussion about shooting or killing anyone during this conversation. **R. Hairston** informed them that D. Hairston had paid for the marijuana and he was coming back to his trailer to pick up the marijuana. **R. Hairston** also advised them that he did not want the robbery to occur at his house.

When the four gang members left **R. Hairston's** residence, they traveled down Hobson Road about a mile, before coming to a stop sign at the intersection of Hobson Road and Irisburg Road. As they approached the intersection, **K. Hairston** instructed **Armour** to stop the car. **K. Hairston** and **Thomas** both got out of the car armed with loaded pistols. **Armour** and **McNebb** were instructed to wait in the car out of sight until the robbery was accomplished. Once out of the car, **Thomas** began walking down the left side of the road. **K. Hairston** concealed himself on the right side of the road behind some bushes.

While the robbery crew was setting up, D. Hairston and his right hand man, Akorean JaJauntex Murphy, aka: "A.J.," "Squirt" (hereinafter "Murphy"), were at **R. Hairston's** house picking up approximately 12 pounds of marijuana. After they picked

up the marijuana, D. Hairston, with Murphy in the passenger seat, drove away from **R. Hairston's** house on Hobson Road in the white Chevrolet Impala. As they passed by **Thomas**, who was pretending to be hurt by limping down Hobson Road, D. Hairston stopped to ask **Thomas** if he needed a ride. **Thomas** informed D. Hairston that he did not need a ride<sup>2</sup>. As D. Hairston and Murphy were pulling up to the stop sign at the intersection of Hobson Road and Irisburg Road, both **K. Hairston** and **Thomas** opened fire on the white Impala, hitting both D. Hairston and Murphy.

As **K. Hairston** and **Thomas** fired shots into D. Hairston's car, Murphy fired multiple shots from inside the car toward **Thomas**. The white Chevrolet Impala that D. Hairston was driving rolled across the intersection and into a ditch where it came to rest.

After the shooting ended, **Armour**, along with **McNebb**, drove back to the scene and picked up **Thomas**. **K. Hairston** was left behind as his whereabouts were unknown to the occupants of the getaway vehicle. Shortly after the shooting ended, D. Hairston got out of the white Impala, was picked up by a passing truck and was taken to the hospital where he was treated for his gunshot wounds. **K. Hairston** then went over to the white Chevrolet Impala and saw Murphy. Murphy was located on the front passenger floorboard severely injured and moaning. **K. Hairston** also observed the black bag containing the marijuana lying underneath Murphy on the front passenger floorboard. **K. Hairston** reached into the car, grabbed the bag from underneath Murphy and took it.

**K. Hairston** then walked up Hobson Road carrying the bag and went through the woods. **K. Hairston** concealed his firearm under a mobile home in the woods. **K.**

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<sup>2</sup> **Thomas** and D. Hairston knew each other prior to the robbery.

**Hairston** then placed the bag containing the marijuana near an old garage in the woods. **K. Hairston** eventually walked back toward **R. Hairston's** house. When **K. Hairston** arrived at **R. Hairston's** house, **K. Hairston** informed **R. Hairston** that Murphy was dead. **K. Hairston** asked **R. Hairston** for a change of clothes. **R. Hairston** provided **K. Hairston** with a pair of blue jeans and a red shirt. **K. Hairston** changed his clothes and placed the clothes that he was wearing at the time of the shooting in **R. Hairston's** washing machine. **K. Hairston** found Clorox liquid in **R. Hairston's** washroom and he proceeded to wash his hands and arms with it in an attempt to wash off any gunshot residue.

Immediately after the getaway vehicle left the area, **K. Hairston** made a series of phone calls to **Thomas** to see if they would come back and pick him up. **Thomas** informed **K. Hairston** that **Armour** was almost out of gas and that they could not come back to get him. **Thomas**, **Armour**, and **McNebb** all returned to North Carolina. All three went to the home of **McNebb's** cousin. **Thomas** still had his gun and gave it to **McNebb** to throw away. **McNebb** then gave the gun to **Armour**. **Armour** told **Thomas** that he needed to get rid of the clothes that he was wearing during the robbery. **Thomas** then threw his clothing in the woods behind his house.

After the robbery and murder, **Thomas** confessed to his mother who convinced him to turn himself in to the police. On January 28, 2010, two days after the robbery and murder, **Thomas** provided a detailed statement regarding his involvement and the involvement of the others in the robbery and murder.

On January 28, 2010, **Armour** turned himself in to the Rockingham County Sheriff's Office, in North Carolina. **Armour** provided a detailed statement regarding the events surrounding the robbery and murder.

**K. Hairston** eventually fled to Flint, Michigan with the assistance of family members. Some weeks later, **K. Hairston** was located and arrested. Upon his return to Virginia, **K. Hairston** was provided counsel and agreed to cooperate. **K. Hairston** then gave two lengthy proffers about the robbery and murder as well as the criminal activities of the 9Tre Bloods gang. **K. Hairston** also led investigators to the bag of marijuana and the pistol that he used in the robbery and murder, both of which were recovered.

## **B. Supporting Evidence**

All five targets have provided detailed statements and/or sworn testimony admitting to their roles in the offenses that occurred on January 26, 2010. Each account has been largely consistent with the other accounts. Additionally, D. Hairston has provided a proffered statement regarding his account of the robbery/murder.<sup>3</sup> The government has also recovered numerous pieces of physical evidence that it would use in the prosecution of all five targets, including: the firearms used in the robbery/murder, the clothing worn by the shooters, the black bag and the marijuana, numerous photographs of the shot-up white Impala, and numerous shell casings. The shell casings recovered at the scene have been forensically matched to the three recovered firearms. Finally, the

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<sup>3</sup> D. Hairston has subsequently been convicted and sentenced in federal court in the Middle District of North Carolina for a cocaine conspiracy and a firearm violation.

government would introduce the medical examiner's report into evidence which shows that A.J. Murphy died of gunshot wounds to the head and chest.

Respectfully submitted,

TIMOTHY J. HEAPHY  
United States Attorney

Dated: August 20, 2012

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CERTIFICATE OF SERVICE

I hereby certify that I have this 20<sup>th</sup> day of August, 2012, electronically filed the Statement of Facts with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/ Donald R. Wolthuis  
Assistant United States Attorney